

~~Proposed~~Voted, to petition the General Court to the end that legislation be adopted precisely as follows. The General Court may make clerical or editorial changes of form only to the bill, unless the mayor approves amendments to the bill before enactment by the General Court. The mayor is hereby authorized to approve amendments which shall be within the scope of the public objectives of this petition.

1

2 AN ACT ESTABLISHING A CHARTER FOR THE CITY OF SOMERVILLE

3

4 Be it enacted by the Senate and House of Representatives in General Court assembled, and by
5 the authority of the same as follows:

6

SECTION 1. The following shall be the charter for the city of Somerville~~Charter Text:~~

7 PREAMBLE

8 We, the people of Somerville, with our diversity in culture and thought, in order to reaffirm the
9 liberties of the people with respect to the conduct of our local government, adopt this charter to
10 continue and enhance the city's strong traditions of the pursuit of justice; empowerment of
11 residents; ethical, transparent and responsive leadership; wise use of public resources;
12 representation for all; and an engaged populace. We expect that our government will be
13 approachable, accountable, equitable, inclusive, and respectful towards all people, and it will
14 strive to provide all residents an equal opportunity to participate fully in the economic, cultural
15 and intellectual life of the city.

16 ARTICLE 1

17 INCORPORATION; SHORT TITLE; DEFINITIONS

18 SECTION 1-1: INCORPORATION

19 The residents of the City of Somerville within the territorial limits established by law, shall
20 continue to be a municipal corporation, a body corporate and politic, under the name "City of
21 Somerville.”

22 SECTION 1-2: SHORT TITLE

23 This instrument shall be known and may be cited as the City of Somerville Charter (“charter”).

24 SECTION 1-3: SEPARATION OF POWERS

25 The administration of the fiscal, prudential and municipal affairs of the city shall be vested in an
26 executive branch led by a mayor and a legislative branch consisting of a city council. The
27 legislative branch shall never exercise any executive power and the executive branch shall never
28 exercise any legislative power.

29 SECTION 1-4: POWERS OF THE CITY

30 Subject only to express limitations on the exercise of any power or function by a municipal
31 government in the constitution or General Laws, it is the intention and the purpose of the
32 ~~municipal~~-voters of the city, through the adoption of this charter, to secure for themselves and
33 their government all of the powers it is possible to secure as fully and as completely as though
34 each power were specifically and individually enumerated in this charter.

35 SECTION 1-5: CONSTRUCTION

36 The powers of the city under this charter are to be construed liberally in favor of the city and the
37 specific mention of any particular power is not intended to limit the general powers of the city as
38 stated in section 1-4. To the extent that any provision of this charter shall conflict with any
39 special act or law adopted by the city to the contrary, the provisions of this charter shall prevail.

40 SECTION 1-6: INTERGOVERNMENTAL RELATIONS

41 Subject only to express limitations in the constitution or General Laws, the city may exercise any

42 of its powers or perform any of its functions and may participate in the financing thereof, jointly
43 or in cooperation, by contract or otherwise, with the commonwealth or any of its agencies or
44 political subdivisions, or with the United States government or any of its agencies.

45 SECTION 1-7: DEFINITIONS

46 Unless the context clearly requires otherwise, the following terms shall have the following
47 meanings as used in this charter:

48 (1) “Business day”, any day that is not a Saturday, Sunday, or legal holiday. For the
49 purposes of this definition, legal holiday shall mean Massachusetts legal holidays as
50 published by the secretary of the commonwealth.

51 (2) “Charter”, this charter and any adopted amendments to it.

52 (3) “City” ~~or “city”~~, the City of Somerville.

53 (4) “City agency”, any multiple member body, department, division or office of the city.

54 (5) “City officer” or “department head”, a person having charge of a city office or
55 department.

56 (6) “City website”, an online site established and maintained by the city as its repository
57 of municipal information.

58 (7) “Emergency”, a sudden, generally unexpected occurrence or set of circumstances
59 demanding immediate action or response.

60 (8) “General Laws”, the Massachusetts General Laws.

61 (9) “Majority vote”, a majority of the present and voting members of a body, unless
62 otherwise provided for by law or by the body’s own rules. Provided, however, that
63 General Laws related to any vote to meet in executive session shall always require a
64 majority of the full multiple member body.

65 (10) “Measure”, any ordinance, order, other vote or proceeding adopted, or proposed to
66 be adopted, by the city council or the school committee.

67 (11) “Multiple member body”, any council, commission, committee, subcommittee or
68 other body consisting of 2 or more persons, whether elected, appointed or otherwise
69 constituted, but not including the city council or its committees, the school committee or
70 its subcommittees or an advisory committee or task force established by the mayor or city

71 council.

72 (i) “Quasi-judicial body”, any multiple member body which resolves specific
73 disputes, or makes determinations about the rights, obligations or privileges of
74 identifiable parties.

75 (ii) “Regulatory body”, any multiple member body responsible for establishing or
76 enforcing rules or regulations.

77 (12) “Municipal voter”, anyone who is eligible to vote in a municipal election pursuant to
78 this charter.

79 (13) “Organization or reorganization plan”, a plan submitted by the mayor to the city
80 council which proposes:

81 (i) a change in the organization or the administrative structure of the city
82 administration or organization; or ~~(ii) a change in the way in which municipal~~
83 ~~services are delivered.~~

84 (ii) a change in the way in which municipal services are delivered.

85 (14) “Post”, make available publicly on the city website, at city hall, in a local newspaper
86 and or as otherwise may be required by law. For the purposes of this definition, a local
87 newspaper shall be a newspaper of general circulation within the city, with either weekly
88 or daily circulation. The city council president may, from time to time, select a local
89 newspaper for posting according to a procedure that shall be set forth in the rules of the
90 city council.

91 (15) “Quorum”, a majority of all voting members of a multiple member body unless
92 some other number is established by law or by ordinance.

93 (16) “Statewide voter”, anyone who is eligible to vote pursuant to state and federal law.

94 (17) “Year”, a calendar year, unless otherwise specified.

95 ARTICLE 2

96 LEGISLATIVE BRANCH

97 SECTION 2-1: COMPOSITION; TERM OF OFFICE; ELIGIBILITY

98 (a) Composition - There shall be a city council consisting of 11 members which shall exercise
99 the legislative powers of the city. Four of these members, to be known as councilors at-large,
100 shall be nominated and elected by the municipal voters at large. Seven of these members, to be
101 known as ward councilors, shall be nominated from and elected by the municipal voters in each
102 ward, with 1 ward councilor to be elected from each of the 7 wards into which the city is divided
103 under section 7-7.

104 (b) Term of Office - The term of office for councilors shall be 2 years each, beginning on the
105 first business day in January following the municipal election.

106 (c) Eligibility - Any statewide voter residing in the city shall be eligible to hold the office of
107 councilor at-large. Any statewide voter residing in the ward from which election is sought shall
108 be eligible to hold the office of ward councilor. If the city council determines that a ward
109 councilor or a councilor at-large has removed from the city during the councilor's term, that
110 office shall immediately be deemed vacant and filled in the manner provided in section 2-12. A
111 ward councilor who removes from the ward in which the councilor was elected and who remains
112 a municipal voter of the city may continue to serve the balance of the term to which elected.

113 SECTION 2-2: PROHIBITIONS

114 (a) Holding Other City Position – Except as otherwise provided by this charter, a member of the
115 city council shall hold no other compensated city position. A former member of the city council
116 shall not hold any compensated appointed city position for 1 year after termination of their
117 service on the city council, unless approvedthe city council approves a waiver of this provision
118 by affirmative vote of 8 members of the city council. This section shall not prevent a city
119 employee who vacated a position to serve as a member of the city council from returning to the
120 same position upon the expiration of the term for which that person was elected.

121 (b) Interference with Administration - The city council or any member of the city council shall
122 not give orders or directions to any employee of the city appointed by the mayor, either publicly
123 or privately.

124 SECTION 2-3: COMPENSATION

125 The members of the city council shall receive compensation for their services as set by
126 ordinance. An ordinance increasing or reducing the compensation of the members of the city
127 council shall not be effective unless:

- 128 (1) it is adopted by affirmative vote of 8 members of the city council;
- 129 (2) it is adopted prior to the last 6 months of the city council's term; and
- 130 (3) it provides that the compensation increase or reduction is to take effect upon the
131 organization of the city government following the next regular citymunicipal election.

132 SECTION 2-4: GENERAL POWERS

133 Except as otherwise provided by the General Laws or by this charter, all powers of the city shall
134 be vested in the city council which shall provide for the performance of all duties and obligations
135 imposed upon the city by law.

136 SECTION 2-5: EXERCISE OF POWERS; QUORUM; RULES

137 (a) Exercise of Powers - Except as otherwise provided by General Laws or by this charter, the
138 legislative powers of the city council may be exercised in a manner determined by the city
139 council.

140 (b) Quorum - Once a quorum is present, a majority vote shall be required to adopt any ordinance,
141 except as otherwise provided by General Laws or by this charter.

142 (c) Rules of Procedure - The city council shall adopt rules regulating the procedures of the city
143 council, which shall be subject to adoption, amendment or repeal by vote of the city council.

144 (d) Meetings - Regular meetings of the city council shall be held at a time and place fixed by
145 ordinance.

146 (e) Special meetings of the city council shall be held at the call of the president or at the call of
147 any 6 or more members, for any purpose. Except in an emergency as declared by the city council
148 president, notice of the meeting shall be delivered to ~~each member~~ by hand or by electronic
149 mail the city clerk at least 23 business days in advance of the time set and shall specify the date,
150 time, location and purpose for which the meeting is to be held. ~~A copy of each notice shall~~
151 ~~immediately be posted.~~ The city clerk shall post an agenda for such meeting at least 2 business

152 days in advance of the time set.

153 (1f) All sessions of the city council and every city council committee or subcommittee shall, at
154 all times, be open to the public, unless otherwise specified by law.

155 (2g) A full, accurate, up-to-date account of the proceedings of the city council shall be
156 maintained by the city clerk, which shall include a record of each vote taken and be made
157 available with reasonable promptness following each meeting. Executive session minutes shall
158 be made available as soon as publication of the minutes would not defeat the purpose of the
159 executive session, unless otherwise provided by law.

160 SECTION 2-6: ELECTION, TERM, AND POWERS OF CITY COUNCIL PRESIDENT AND
161 VICE-PRESIDENT

162 (a) Election and Term - As soon as practicable after the councilors-elect have been qualified
163 following each regular city municipal election, as provided in section 7-4, the city council shall
164 elect from among its members a president and vice-president who shall serve for 1-year terms.
165 The member of the council with the most years of service shall preside at the election. If 2 or
166 more members have the same term of service the councilor with the last name that is first in
167 alphabetical order from among ~~the councilors~~ such councilors shall preside. The conduct of all
168 elections of the city council president and vice-president shall otherwise be prescribed within the
169 rules of the city council.

170 (b) Powers and Duties - The president shall have the following powers and duties:

- 171 (1) determine the agenda for city council meetings;
- 172 (2) preside at all meetings of the city council, regulate its proceedings, and decide all
173 questions of order, provided, however, that the vice-president shall preside in the absence
174 of the president;
- 175 (3) appoint all members of committees of the city council, whether special or standing;
- 176 (4) have the same powers to vote upon measures coming before the city council as any
177 other member of the city council; and
- 178 (5) perform any other duties consistent with the office that are established by this charter,

179 ordinance or other vote of the city council.

180 SECTION 2-7: APPOINTMENTS OF THE CITY COUNCIL

181 (a) City Clerk - The city council shall appoint a city clerk to serve at the pleasure of the city
182 council and until a qualified successor is chosen ~~and qualified~~. The city clerk shall have the
183 powers and duties relating to the keeping of records and vital statistics, the issuance of licenses
184 as are provided to city clerks by the General Laws and such additional powers and duties as may
185 be provided by law or by other vote of the city council.

186 (b) Advisory Legal Counsel - Subject to appropriation, the city council may secure legal
187 services, when needed, to seek a secondary legal opinion. The city council shall make a
188 reasonable request for legal services, and that request shall not be unreasonably denied by the
189 mayor. The city solicitor and any advisory legal counsel shall consult to the extent practicable
190 prior to the release of any secondary opinion. The legal services provided to the council shall not
191 include representation of the council or any councilor in any litigation, or the issuance of formal
192 legal opinions on behalf of the city. The city solicitor shall remain the only authorized officer of
193 the city in all legal matters involving the city's government.

194 (c) Other Staff - Subject to appropriation, the city council may employ staff as it deems
195 necessary.

196 (d) Removals and Suspensions of City Council Staff - City council appointments may be
197 removed at the sole discretion of the city council subject to limitations and requirements imposed
198 by federal and state laws, rules or regulations ~~and city personnel policies and procedures~~.

199 SECTION 2-8: CITY COUNCIL CONFIRMATION OF CERTAIN APPOINTMENTS

200 (a) Department Heads - The mayor shall refer to the city council for confirmation and
201 simultaneously file with the city clerk the name of each person the mayor ~~has appointed~~ appoints
202 as a department head. These appointments shall ~~become~~ be considered confirmed 30 days from
203 the date of the first regularly scheduled city council meeting after the date on which notice of the
204 appointment was filed with the city clerk, unless the city council within said 30 days shall reject
205 the appointment by the affirmative vote of 8 members. However, if no city council meeting is
206 held within the subsequent 30 days of the first meeting, the city council shall instead have 30

207 days from the second regularly scheduled meeting after the appointment to reject the
208 appointment. The city council shall not unreasonably reject an appointment and shall accompany
209 a rejection with a written statement describing the reason, which shall be delivered to the mayor
210 and placed on file with the city clerk within 30 days of ~~filing the city council's vote rejecting an~~
211 appointment. The question on rejection of any appointment made by the mayor shall not be
212 subject to the procedure of charter objection provided in section 2-9(b) of this charter.

213 (b) Multiple Member Bodies - The mayor shall refer to the city council and simultaneously file
214 with the city clerk the name of each person the mayor desires to appoint as a member of a
215 multiple member body. The city council shall have 60 days after the date on which notice of the
216 proposed appointment was filed with the city clerk to vote to approve or reject the appointment,
217 with approval not to be unreasonably withheld. If the city council does not take action on the
218 appointment within 60 days the appointment shall be deemed approved. Multiple member body
219 members may be removed at the discretion of the mayor their appointing authority ~~subject to~~
220 ~~limitations and requirements imposed by federal and state law, rules or regulations.~~

221 (1) All appointments to quasi-judicial bodies and regulatory bodies shall be for terms
222 established by administrative order or the General Laws. Any member of a quasi-judicial
223 body or regulatory body appointed to a successive term shall be subject to confirmation
224 by the city council under section 2-8(b) upon the expiration of each term.

225 ~~(+2)~~ In the event of a vacancy on a multiple member body where the seat has remained
226 vacant in excess of 1 year and the mayor has not referred to the city council any proposed
227 appointees to fill the vacancy, the city council president may present to the mayor the
228 names of ~~no more than~~ up to 3 individuals ~~persons~~ as recommendations for appointment.
229 The procedure for selecting names of persons for presentation to the mayor shall be
230 established within the rules of the city council.

231 ~~(23)~~ The mayor shall twice annually, in February and August, post a complete list of the
232 vacancies ~~within~~ on all multiple member bodies, as well as the procedures for individuals
233 to apply to become a member of ~~those~~ such bodies. This posting shall be in addition to,
234 and not a substitute for, regular posting for the purpose of filling vacancies as they arise.

235 ~~(e) Constables—The mayor shall refer to the city council and simultaneously file with the city~~
236 ~~clerk the name of each person the mayor desires to appoint as a constable within the city. The~~

237 ~~city council shall not unreasonably withhold confirmation of appointments and shall accompany~~
238 ~~a rejection with a written statement describing the reason, which shall be delivered to and placed~~
239 ~~on file with the city clerk within 30 days of that rejection. Constables shall serve for a term of 3~~
240 ~~years, and submission for reappointment shall be made at least 60 days prior to the expiration of~~
241 ~~a constable's term. The question on confirmation of any appointment submitted by the mayor~~
242 ~~shall not be subject to the procedure of charter objection provided in section 2-9(b) of this~~
243 ~~charter.~~

244 ~~(d) Civil Service~~(c) Police and Fire Employees - The mayor shall refer to the city council and
245 simultaneously file with the city clerk the name of each person the mayor desires to appoint or
246 promote as a member or officer of the police department or the fire department. The city council
247 shall not unreasonably withhold confirmation of appointments, shall adhere to any merit
248 principles identified in applicable law, including, but not limited to applicable civil service law,
249 and shall accompany a rejection with a written statement describing the reason, which shall be
250 delivered to and placed on file with the city clerk within 30 days of that rejection. The question
251 on confirmation of any appointment submitted by the mayor shall not be subject to the procedure
252 of charter objection provided in section 2-9(b) of this charter.

253 SECTION 2-9: ORDINANCES AND OTHER MEASURES

254 (a) Measures - Every adopted measure shall become effective at the expiration of 10 days after
255 adoption or upon the signature of the mayor, whichever occurs first, unless the ordinance or this
256 charter provides otherwise. An ordinance shall not be amended or repealed except by another
257 ordinance adopted in accordance with this charter.

258 (b) Charter Objection - On the first occasion that the question on adoption of a measure is put to
259 the city council, a single member may object to the taking of the vote and postpone the vote until
260 the next meeting of the city council, whether regular or special. If 2 or more members object, the
261 vote shall be postponed until the next regular meeting. This procedure shall not be used more
262 than once for any specific matter regardless of whether it has been amended. A charter objection
263 shall have privilege over all motions provided, however, that it shall be raised prior to or at the
264 call for a vote by the presiding officer and all debate shall cease.

265 SECTION 2-10: ACCESS TO INFORMATION

266 (a) In General - The city council may make investigations into the affairs of the city and into the
267 conduct and performance of any city agency. Absent compelling circumstances or an emergency
268 which shall be declared on record and noted in the city council minutes, the city council shall
269 give a minimum of 14 days' notice to ~~any~~ person it may require to appear before it under this
270 section. In ~~circumstances involving the case of~~ compelling circumstances or emergency, 7 days'
271 notice shall be allowed. The notice shall include specific questions on which the city council
272 seeks information and any person called to appear before the city council under this section shall
273 not be required to respond to any question not relevant or related to those questions presented in
274 advance and in writing. The mayor shall receive a copy of any notice issued under this section at
275 the same time as the person who is requested to appear before the council. ~~Majority~~A majority
276 vote of the city council shall be required to issue notice under this section.

277 (b) Department Head - The city council may require, by majority vote, specific information from
278 a department head or their designee on any matter related to the municipal services, functions
279 and powers or duties which are within the scope of responsibility of ~~that person.~~such department
280 head and related to the official duties and responsibilities of the city council. The department
281 head or their designee shall not be required to answer questions relating to any other matter
282 outside the scope of the matter noticed or provide information the release of which is prohibited
283 by law.

284 (c) Mayor - The city council may request, by majority vote, specific information from the mayor
285 on any municipal matter related to the official duties and responsibilities of the city council. The
286 mayor or their designee shall appear before the city council and respond to the questions. The
287 mayor or their designee shall not be required to answer questions relating to any other matter
288 outside the scope of the matter noticed or be required to provide information the release of which
289 is prohibited by law. The mayor may bring to this meeting any assistant, department head or
290 other city officer or employee that the mayor may consider necessary to assist in responding to
291 the questions posed by the city council.

292 SECTION 2-11: GROUP PETITIONS

293 The city council shall hold a public hearing and act with respect to every petition which is

294 addressed to it and which is signed by at least 50 municipal voters as certified by the board of
295 election commissioners. The hearing shall be held by the city council or by a committee or
296 subcommittee thereof, and the city council shall act on the petition within 3 months of filing with
297 the city clerk. Hearings on 2 or more petitions filed under this section may be held at the same
298 time and place. At least 14 days before the hearing, the city clerk shall notify the 10 petitioners
299 whose names first appear on each petition, publish a general summary of the subject matter of
300 the petition, and post notice of the date and time of the public hearing. A hearing shall not be
301 held upon any subject more than once in a 12-month period, as determined by the city council
302 president.

303 SECTION 2-12: FILLING OF VACANCIES

304 (a) Councilor At-Large ~~—Whenever a vacancy occurs in the office of councilor at large the~~
305 ~~process for filling of the vacancy shall be determined by the number of days remaining until the~~
306 ~~next municipal election. In all occurrences of a vacancy—~~ When a vacancy exists for an at-large
307 city council seat and more than 180 days remain in the term, the city clerk shall notify the city
308 council and the chairperson of the board of election commissioners of the vacancy within 7 days.
309 Within 7 days after notification, the chairperson of the board of election commissioners or a
310 designee shall certify, in writing, to the city clerk that the defeated candidate for the office of
311 councilor at-large with the next highest number of votes at the prior municipal election ~~at which~~
312 ~~councilors at large were elected for the term in which the vacancy occurs shall serve as councilor~~
313 ~~at large. If the person is eligible and, if willing and able to serve, the shall fill the remainder of~~
314 the existing term. The city clerk shall administer the oath of office to the person within 15 days
315 after certification and the person shall ~~serve~~ take the seat. If the person who is eligible declines
316 the office, is not eligible and willing to serve, or fails to take the oath of office within the time
317 period set forth in this section, then the person with the next highest number of votes atfor

318 councilor at large at the prior municipal election who is eligible and willing to serve shall take
319 the seat under the same circumstances as above. If no such candidate for the office can serve.
320 ~~If a~~, the city council shall call a special election to fill the seat until for the remainder of the
321 term. If the vacancy occurs:
322 ~~(1) More than with~~ 180 days ~~until the next municipal election, the next highest candidate serves~~
323 ~~the remainder of the unexpired term. If there is no defeated or fewer in the existing term, the~~
324 vacancy shall be filled as above; provided, however, if no candidate ~~eligible and willing to serve~~
325 ~~who has taken the oath of office, there shall be a special election.~~

326 ~~(2) Less than or equal is available to 180 days prior to any regular municipal election in the office~~
327 ~~of councilor at large, the next highest candidate serves until the next municipal election. If there~~
328 ~~is no eligible and willing candidate from the most recent municipal election, then the seat~~
329 ~~remain~~take the seat, the seat shall remain vacant until the next regular municipal election. ~~The,~~
330 and the person elected shall ~~fill the vacancy~~ take office upon certification of the vote, and serve
331 for the remainder of the ~~unexpired existing~~ term and as well as the term to which elected. The ~~city~~
332 clerk shall administer the oath of office to them at the next meeting of the city council.

333 (b) Ward Councilor - If a vacancy occurs in the office of ward councilor and more than 180 days
334 prior to any regular municipal election, remain on the city council existing term, the city council
335 shall immediately order a special election to fill the vacancy for the remainder of the unexpired
336 term. If a vacancy occurs 180 days or less prior to any regular municipal election, the seat or
337 fewer days before the end of the term, the seat shall remain vacant until the next regular
338 municipal election for the office and the person elected shall fill the vacancy for the remainder of
339 the unexpired term and the term to which elected. The city clerk shall administer the oath of
340 office to the person at the next meeting of the city council.

341 ARTICLE 3

342 EXECUTIVE BRANCH

343 SECTION 3-1: MAYOR: ROLE; TERM OF OFFICE; ELIGIBILITY

344 (a) Role - The chief executive officer of the city shall be a mayor, elected by the municipal
345 voters of the city at large. The role of mayor shall be a full-time position.

346 (b) Term of Office - The term of office for mayor shall be **four~~2~~** years, beginning on the first
347 business day in January following the municipal election.

348 (c) Eligibility - Any statewide voter residing in Somerville shall be eligible to hold the office of
349 mayor.

350 SECTION 3-2: PROHIBITIONS

351 The mayor shall not hold another compensated city position or other elected public office. A
352 former mayor shall not hold a compensated appointed city office or city employment for **at least**
353 1 year after termination of their service as the mayor. Any former mayor shall not receive
354 compensation for contracted work authorized during their tenure as the mayor, ~~provided,~~
355 ~~however, that they may be compensated for limited hours advising the incoming mayor.~~ This
356 subsection shall not prevent a city officer or other city employee who has vacated a position to
357 serve as the mayor from returning to the same office or other position of city employment held
358 when the position was vacated. This prohibition shall not apply to persons covered by a leave of
359 absence under section 37 of chapter 31 of the General Laws.

360 SECTION 3-3: COMPENSATION

361 The mayor shall receive compensation for their services as set by the city council by ordinance.
362 An ordinance increasing or reducing the compensation of the mayor shall not be effective unless:

- 363 (1) it is adopted by affirmative vote of 8 members of the city council;
- 364 (2) it is adopted prior to the last 6 months of the mayor's term; and
- 365 (3) it provides that the compensation increase or reduction is to take effect upon the
366 organization of the city government following the next regular citymunicipal election.

367 SECTION 3-4: EXECUTIVE POWERS

368 (a) Executive Powers - The executive powers of the city shall be vested solely in the mayor and
369 may be exercised by the mayor either personally or through the city agencies under the general
370 supervision and control of the office of the mayor. The mayor shall cause this charter, laws,

371 ordinances and other orders of the city government to be enforced and shall cause a record of all
372 official acts of the executive branch of the city government to be kept. The mayor shall
373 supervise, direct, and be responsible for the efficient administration of all city activities and
374 functions placed under the control of the mayor by law or by this charter. The mayor or their
375 designee shall have the sole power to sign, seal, execute and deliver in behalf of the city, deeds
376 and leases of land sold or leased by the city, and other deeds, agreements, contracts, leases,
377 indentures and assurances on behalf of the city.

378 (b) Supervision of City Agencies - The mayor shall exercise general supervision and direction
379 over all city agencies, unless otherwise provided by law or by this charter. Each city agency shall
380 furnish to the mayor any information or materials the mayor may request and as the needs of the
381 office of mayor and the interest of the city may require. The mayor shall be responsible for the
382 efficient and effective coordination of the activities of all city agencies and may call together for
383 consultation, conference and
384 discussion, at reasonable times, all persons serving the city.

385 (c) Multiple Member Bodies - The mayor shall be, by virtue of the office, ~~an ex-officio~~ member
386 of every appointed multiple member body of the city. The mayor may, ~~as an ex-officio member,~~
387 attend any meeting of an appointed multiple member body of the city, including executive
388 sessions, to participate in the discussions of that body, provided, however, that ~~they~~ the mayor
389 shall not have the right to vote on any matter before a multiple member body which they serve
390 on solely by virtue of their office.

391 SECTION 3-5: APPOINTMENTS BY THE MAYOR

392 (a) Department Heads - The mayor shall appoint, subject to ~~review~~ confirmation by the city
393 council under section 2-8(a), all department heads for whom no other method of appointment or
394 selection is provided by this charter. Department heads serve at the discretion of the mayor
395 subject to the limitations and requirements imposed by federal and state laws, rules, or
396 regulations.

397 (b) City Attorney - The city attorney shall be appointed by the mayor, subject to
398 ~~review~~ confirmation by the city council under section 2-8(a). The city attorney shall be appointed
399 to a 2-year term. Within 30 days of the beginning of a new mayoral term, Whenever the mayor

400 ~~shall submit~~appoints or reappoints a city attorney the mayor shall submit the name of a person to
401 serve as city attorney for confirmation ~~or reconfirmation in the same manner as a new~~
402 ~~appointment~~ under section 2-8(a). If the mayor fails to submit the name of a person serving as
403 the city attorney for confirmation of reappointment within 30 days of the expiration of the term,
404 the city clerk shall place an item on the agenda for such reappointment at the next regular city
405 council meeting.

406 (c) Multiple Member Bodies - The mayor shall appoint, subject to confirmation by the city
407 council under section 2-8(b), all members of multiple member bodies for whom no other method
408 of appointment or selection is provided by administrative order or General Laws. All members
409 shall serve terms as defined by administrative order or General Laws. Upon the expiration of the
410 term of any member of a multiple member body, a successor shall be appointed in a like manner.
411 The mayor shall fill any vacancy for the remainder of the unexpired term of any member of a
412 multiple member body.

413 (d) ~~Civil Service-Police and Fire~~ Employees - The mayor may appoint and promote, subject to
414 confirmation by the city council, members and officers of the police department and fire
415 department subject to requirements of the state's Civil Service law.

416 (e) City Employees - The method of appointment for all other city employees shall be as
417 prescribed by administrative order.

418 SECTION 3-6: APPOINTMENT OF CHIEF ADMINISTRATIVE OFFICER

419 The mayor shall appoint a chief administrative officer to coordinate and direct the operations and
420 functions of municipal government. The chief administrative officer shall be appointed by the
421 mayor, subject to ~~review~~confirmation by the city council under section 2-8(a). The appointee
422 shall be chosen on the basis of appropriate administrative and executive qualifications and shall
423 have a combination of experience, training, or education to perform the duties of the office.
424 ~~Within 30 days of the beginning of a new mayoral term,~~Whenever the mayor shall
425 ~~submit~~appoints a chief administrative officer, the mayor shall submit the name of a person to
426 serve as a chief administrative officer for confirmation ~~or reconfirmation in the same manner as a~~
427 ~~new appointment~~ under section 2-8(a).

428 SECTION 3-7: TEMPORARY APPOINTMENTS TO CITY OFFICES

429 Whenever a temporary or permanent vacancy occurs in a city office that is appointed under
430 section 3-5(a) ~~& (b)~~, the mayor may designate a person to perform the duties of the office on a
431 temporary basis for up to ~~150~~180 days until the position can be filled as provided by law or by
432 this charter. Persons serving as temporary officers under this section shall have only those
433 powers that are indispensable and essential to the performance of the duties of the office during
434 the period of temporary appointment and no others.

435 (a) Filing of a Temporary Appointment - When the mayor designates a person under this section,
436 the mayor shall file a certificate with the city clerk in substantially the following form:

437 “I designate [name of person] to perform the duties of the office of [office in which vacancy
438 exists] on a temporary basis until the office can be filled by [the regular procedure for filling the
439 vacancy or when the incumbent shall return]. I certify that this person is qualified to perform the
440 duties which will be required and that I make this designation solely in the interests of the City of
441 Somerville.”

442 (b) Extension of Temporary Appointments - If an extension of a temporary appointment is
443 necessary, the mayor may seek extensions in ~~60~~90-day increments, which shall be authorized by
444 a majority vote of the city council. If an extension is not approved, the position shall be deemed
445 vacant.

446 SECTION 3-8: TEMPORARY APPOINTMENTS TO MULTIPLE MEMBER BODIES

447 Whenever a temporary or permanent vacancy occurs on a multiple member body that is
448 appointed under section 3-5(~~bc~~), the mayor may designate a person to perform the duties of the
449 office on a temporary basis for up to 150 days until the position can be filled as provided by law
450 or by this charter. Whenever such vacancy occurs on a quasi-judicial body or regulatory body,
451 the mayor shall submit a communication to the city council with the name of such designee. If an
452 extension of a temporary appointment is necessary, the mayor may seek extensions in 60-day
453 increments, which shall be authorized by a majority vote of the city council. If an extension is
454 not approved, the position shall be deemed vacant, except on multiple member bodies where the
455 vacancy would prevent a quorum. In that instance, a temporary appointment shall be permitted to
456 remain until a successor is qualified, ~~provided, however, that the authority of the temporary~~
457 ~~appointment shall be limited to matters where failure to act by the multiple member body may~~

458 ~~have adverse consequences to the City.~~

459 SECTION 3-9: APPROVAL OF MAYOR, VETO

460 Every ordinance or other measure as required by law adopted or passed by the city council,
461 except any matters relating to the internal affairs of the city council, shall be presented to the
462 mayor for approval. If the mayor approves the measure, the mayor shall sign it. If the mayor
463 disapproves the measure, the mayor shall return it to the city council with the specific reason for
464 disapproval attached in writing. The city council shall enter the objections of the mayor on its
465 records and reconsider the measure at ~~theits~~ subsequent regular meeting. If the city council,
466 regardless of the disapproval by the mayor, shall again pass the identical measure by affirmative
467 vote of 8 members of the city council, it shall then be deemed in force. If the mayor has neither
468 signed a measure nor returned it to the city council within 10 days following the date it was
469 presented to the mayor, the measure shall be deemed approved and in force.

470 SECTION 3-10: COMMUNICATIONS; SPECIAL MEETINGS

471 (a) Communications to the City Council - The mayor shall, by written communication:

472 (1) recommend to the city council for its consideration measures as the needs of the city
473 require; and

474 (2) keep the city council fully informed of the financial and administrative condition of
475 the city and shall specifically indicate any fiscal, financial, or administrative issues facing
476 the city.

477 (b) Special Meetings of the City Council - The mayor may call a special meeting of the city
478 council for any purpose. Unless the mayor designates an emergency, notice of the meeting shall
479 be delivered ~~by hand or by electronic mail to the city clerk~~ at least ~~2-3~~ business days in advance
480 of the time set and shall specify the date, time, ~~and location of the meeting~~ and the purpose for
481 which the meeting is to be held. ~~A copy of the notice shall be posted immediately. The city clerk~~
482 ~~shall post an agenda for such meeting at least 2 business days in advance of the time set.~~

483 SECTION 3-11: TEMPORARY ABSENCE OF THE MAYOR

484 (a) Acting Mayor - Whenever the mayor is unable to perform the duties of the office, the
485 president of the city council shall be the acting mayor. In the event that the city council president

486 is unable to serve as acting mayor under this section, the city council shall elect a councilor to
487 serve as acting mayor by majority vote from among its membership. The city council, by the
488 affirmative vote of 8 members, shall determine whether the mayor is unable to perform the duties
489 of the office. Notwithstanding any general or special law to the contrary, the vote shall be taken
490 in public session by a roll call vote.

491 (b) Powers of Acting Mayor - The acting mayor shall have only those powers of the mayor that
492 are indispensable and essential to conduct the business of the city and on which action may not
493 be delayed. The acting mayor shall have no authority to make a permanent appointment or
494 removal from city service unless the absence of the mayor shall extend beyond 60 days, nor shall
495 the acting mayor approve or disapprove of any measure adopted by the city council unless the
496 time within which the mayor must act would expire before the return of the mayor. The city
497 council president or another councilor serving as acting mayor shall not vote as a member of the
498 city council.

499 SECTION 3-12: DELEGATION OF AUTHORITY BY MAYOR

500 The mayor may authorize and subsequently remove authorization from a subordinate officer or
501 employee of the city to exercise or perform a ~~power,~~ function, or duty of the office of the mayor,
502 provided, however, that all acts performed under any delegation of authority during the period of
503 authorization shall be and remain the acts of the mayor. Nothing in this section shall be
504 construed to authorize the mayor to delegate the powers and duties of the mayor as a school
505 committee member, the power of appointment to city office or employment, or the authority to
506 sign or return measures approved by the city council unless the provisions of section 3-11 apply.

507 SECTION 3-13: FILLING OF PERMANENT VACANCY

508 Whenever a permanent vacancy occurs in the office of mayor ~~by death, removal, resignation, or~~
509 ~~any other reason~~, the process for filling of the vacancy shall be ~~determined by the month of the~~
510 ~~mayoral term in which the vacancy occurs. Following an election to fill a mayoral vacancy, the~~
511 ~~winning candidate shall start immediately and serve the remaining unexpired term as follows:~~

512 (a) If a vacancy occurs within the 6 months preceding a regular municipal election the office
513 position shall be filled by vote at that election. Otherwise, the city council shall call a special

514 election to be held within 90 days following the date of the vacancy. ~~The person elected as~~
515 ~~mayor shall take office immediately upon certification of the vote and serve for the balance of~~
516 ~~the remaining term.~~

517 (b) The city council president shall serve as ~~the~~ acting mayor ~~in all cases~~ until the vacancy is
518 filled. ~~In the event that~~ If the city council president is ~~unwilling or~~ unable to serve ~~as the acting~~
519 ~~mayor under this section~~, the city council shall elect a councilor to serve as the acting mayor ~~by~~
520 ~~majority vote~~ from among its membership. If the councilor serving as the acting mayor ~~under~~
521 ~~this section~~ chooses to run for mayor, they shall not be entitled to have the words “candidate for
522 reelection” printed with ~~that person’s~~ their name on the election ballot. Any person serving as ~~the~~
523 ~~acting mayor under this section~~ shall receive the compensation then in effect for the position of
524 mayor and shall not vote as a member of the city council. ~~The resulting vacancy on the city~~
525 ~~council shall be filled in the manner provided in section 2-12.~~

526 ARTICLE 4

527 SCHOOL COMMITTEE

528 SECTION 4-1: COMPOSITION; TERM OF OFFICE; ELIGIBILITY

529 (a) Composition - There shall be a school committee consisting of 9 members. Seven members
530 shall be nominated and elected by the municipal voters of the city, 1 member elected from each
531 ward. The mayor and the president of the city council shall serve, ~~ex-officio~~ by virtue of their
532 office, with the same powers and duties as other school committee members, provided, however,
533 that neither shall serve as chair.

534 (b) Term of Office - The term for the school committee shall be 2 years, beginning on the first
535 business day in January following the municipal election.

536 (c) Eligibility - Any statewide voter residing in the ward from which election is sought shall be
537 eligible to hold the office of school committee member. If a school committee member removes
538 from the city during the committee member’s term, that office shall immediately be deemed

539 vacant and filled in the manner provided in section 4-6. If a school committee member removes
540 to another ward in the city, the member may continue to serve for the balance of the term to
541 which elected.

542 SECTION 4-2: PROHIBITIONS

543 A member of the school committee elected by ward shall not hold any other compensated city
544 position. A former member of the school committee elected by ward shall not hold any
545 compensated appointed city office or city employment for **at least** 1 year after termination of
546 their service on the school committee. This section shall not prevent a city officer or other city
547 employee who has vacated a position in order to serve as a member of the school committee
548 elected by ward from returning to the same office or other position of city employment held at
549 the time the position was vacated.

550 SECTION 4-3: COMPENSATION

551 Members of the school committee shall receive compensation for their services as set by
552 ordinance by the city council. An ordinance ~~increasing or reducing~~ authorizing the compensation
553 of the members of the school committee shall not be effective unless:

- 554 (1) it is adopted by affirmative vote of 8 members of the city council;
- 555 (2) it is adopted prior to the last 6 months of the school committee's term; and
- 556 (3) it provides that the compensation ~~increase or reduction~~ is to take effect upon the
557 organization of the city government following the next regular city municipal election.

558 SECTION 4-4: SCHOOL COMMITTEE RULES AND PROCEDURES

559 ~~School committee officers and procedures shall be determined by the school committee.~~

560 The school committee shall determine the procedures for the election of school committee
561 officers and adopt policies and procedures relating to conducting the business of the school
562 committee.

563 SECTION 4-5: SCHOOL COMMITTEE POWERS AND DUTIES

564 The school committee shall have all powers which are conferred on school committees by the

565 General Laws and the additional powers and duties provided by this charter, including but not
566 limited to:

567 (1) selecting and removing a superintendent of the schools who shall be charged with the
568 administration of the school system, and appointment of all other personnel as provided
569 by the General Laws;

570 (2) ~~making and adopting~~ policies for the management of the public school system ~~and for~~
571 ~~conducting the business of the school committee,~~ as deemed necessary or desirable;

572 (3) adopting and overseeing the administration of an annual operating budget for the
573 school department, subject to appropriation;

574 (4) providing ordinary maintenance of all school buildings and grounds, unless a central
575 municipal maintenance department, which may include maintenance of school buildings
576 and grounds, is established; and

577 (5) at least 1 member of the school committee, or a designee of the school committee,
578 shall serve on the agency, board, or committee for the planning or construction of a new,
579 remodeled, or renovated school building.

580 SECTION 4-6: FILLING OF VACANCIES

581 If a vacancy on the school committee occurs with 1 year or more remaining in the term, the city
582 council shall order a special election to fill the vacancy. If a vacancy on the school committee
583 occurs with less than 1 year before the end of the term but more than 120 days before any regular
584 municipal election, the school committee shall appoint a replacement to serve for the remainder
585 of the term from the qualified statewide voters of the ward. The school committee shall post
586 notice of the vacancy and solicitation of nominations and appoint the replacement in accordance
587 with school committee policy. If a vacancy occurs within 120 days of a regular municipal
588 election, the vacancy shall be filled by the regular election and the newly elected school
589 committee member's term shall begin following the certification of election results. The person
590 elected shall be sworn to the office to fill the vacancy for the balance of the unexpired term as
591 well as the term to which elected. The city clerk shall administer the oath of office to them ~~on~~ at
592 or before the next meeting of the school committee.

593 If a vacancy occurs in the membership of the school committee whether by failure to elect or
594 otherwise, the president of the city council shall, not more than 30 days after the date on which
595 that vacancy is declared to exist, call a joint meeting of the city council and the school committee
596 to act to fill the vacancy. At the joint meeting, a majority of those present and voting shall fill the
597 vacancy for the remainder of the unexpired term by choosing the defeated candidate for the seat
598 at the last regular city election; If there was no other candidate for the office, the city council and
599 the school committee shall at their discretion choose an individual, from among the voters
600 entitled to vote for that office for the remainder of the unexpired term. A person so chosen shall
601 take the oath of office and commence to serve forthwith. No vacancy shall be filled in the
602 manner provided in this section if a regular city election is to be held not more than 180 days
603 after the date the vacancy is declared to exist. In an election being held to elect a candidate to a
604 seat that is vacant at the time of the election, the candidate deemed the winner of the election to
605 that seat shall be sworn in to serve the remainder of the term previously vacated at the first
606 regularly scheduled school committee meeting after the date the election results are officially
607 certified.

608 ARTICLE 5

609 ADMINISTRATIVE ORGANIZATION

610 SECTION 5-1: ORGANIZATION OF CITY AGENCIES

611 The organization of the city into agencies to provide services and administer the government
612 may be accomplished only through an administrative order submitted to the city council by the
613 mayor. An administrative order may not originate with the city council. The mayor may, subject
614 only to express prohibitions of General Laws or this charter, propose administrative orders to
615 establish a new agency, reorganize, consolidate or abolish any agency, in whole or in part, as is
616 deemed necessary to conduct the business of the city in an orderly, efficient or convenient
617 manner. The mayor may also propose administrative orders to establish terms of office and
618 prescribe the functions and administrative procedures to be followed by all agencies.

619 These proposed administrative orders shall be accompanied by a message from the mayor which
620 explains the ~~he~~ expected benefits and advises the city council if an administrative order shall
621 require amendments, insertions, revisions, repeal, or otherwise of existing ordinances. Whenever

622 the mayor proposes an administrative order, the city council shall hold 1 or more public hearings
623 on the proposal and post notice.

624 An organization or reorganization plan shall become effective at the expiration of 60 days from
625 filing, unless the city council has disapproved the plan by majority vote prior to that date.
626 ~~Provided; provided~~, however, that if no regular city council meeting is held within the
627 subsequent 60 days of the first regular meeting after the filing of an organization or
628 reorganization plan, the city council shall instead have 60 days from the second regular meeting.
629 The city council may vote only to approve or to disapprove the plan and may not vote to amend
630 or to alter it.

631 SECTION 5-2: QUALIFICATIONS FOR APPOINTMENTS AND PROMOTIONS

632 All appointments and promotions of city officers and other city employees shall be made on the
633 basis of fitness demonstrated by examination, past performance, or by other evidence of
634 competence and suitability. Each person appointed to fill an office or position shall be a person
635 who has the experience, training, or education to perform the duties of the office or position.

636 ~~SECTION 5-3: COMPENSATION OF CITY EMPLOYEES~~

637 ~~The mayor and city council shall provide for a review to be made of all municipal employee~~
638 ~~compensation at 5-year intervals to examine whether compensation reflects principles of equity~~
639 ~~and to the greatest extent possible is sufficient for municipal employees to live in the city. This~~
640 ~~review shall be made by a special committee to be established by ordinance, and the initial~~
641 ~~review shall be implemented as provided in section 9-7(b). The special committee shall receive a~~
642 ~~budget sufficient to hire qualified consultants and any other resources necessary to undertake a~~
643 ~~thorough review. The special committee shall file its report with the city clerk on a date specified~~
644 ~~by ordinance. This report shall include an analysis of the current pay and compensation structure~~
645 ~~with recommendations for adjustments to that structure, taking into consideration the city's~~
646 ~~current and expected financial situation and the impact of the recommendations on the budget.~~
647 ~~The review of compensation shall be under the supervision of the chief administrative officer.~~

648 ARTICLE 6

649 FINANCIAL PROCEDURES

650 SECTION 6-1: FISCAL YEAR

651 The fiscal year of the city shall begin on July 1 and end on June 30, unless another period is
652 required by the General Laws.

653 SECTION 6-2: COMMUNITY AND COUNCIL BUDGET INPUT

654 The city council shall hold a community budget hearing on or before February 15 of each year ~~in~~
655 ~~order~~ to solicit public input regarding budget priorities. The city council shall post notice of the
656 community budget hearing 14 days in advance of the hearing. The mayor shall, at the first
657 regular meeting of the city council of each year, solicit budget priorities from all city councilors.

658 SECTION 6-3: ANNUAL BUDGET MEETING

659 On or before ~~November~~March 1 of each year, the mayor shall call a joint meeting of the city
660 council and school committee, including the superintendent of schools, to review the financial
661 condition of the city, revenue and expenditure forecasts for at least 3 years and other relevant
662 information prepared by the mayor in order to develop a coordinated budget.

663 SECTION 6-4: SUBMISSION OF OPERATING BUDGET; BUDGET MESSAGE

664 On or about May ~~15~~30, the mayor shall submit to the city council a proposed operating budget
665 for all city agencies for the next fiscal year. The proposed operating budget shall include the
666 school budget, as adopted by the school committee, which shall be submitted to the mayor on or
667 about May ~~15~~15. The proposed operating budget shall be accompanied by a budget message and
668 supporting documents. The budget message shall explain the operating budget in fiscal terms and
669 in terms of work programs for all city agencies. It shall outline the proposed fiscal policies of the
670 city for the next fiscal year, describe important features of the proposed operating budget and
671 include any major variations from the current operating budget, fiscal policies, revenues and
672 expenditures together with reasons for these changes. The proposed operating budget shall
673 provide a complete fiscal plan of all city funds and activities and shall be in the form the mayor
674 deems desirable, provided, however, that the budget proposals relative to elected officials shall

675 identify the cost of compensation and the cost of benefits for ~~those~~such officials. The mayor and
676 the superintendent of schools shall coordinate the dates and times of the school committee's
677 budget process under the General Laws.

678 SECTION 6-5: ACTION ON THE OPERATING BUDGET

679 (a) Public Hearing - The city council shall post a notice of the proposed operating budget as
680 submitted by the mayor. The notice shall state: (1) the times and places where copies of the
681 entire proposed operating budget are available for inspection by the public; and (2) the date, time
682 and place when a public hearing on the proposed operating budget shall be held by the city
683 council, at least 7 days after posting of the notice. The city council shall not act on the budget
684 until after the public hearing has occurred.

685 (b) Adoption of the Budget - The city council shall ~~adopt~~take action on the proposed operating
686 budget, which may have amendments, before the end of the fiscal year. In amending the
687 proposed operating budget, the city council may delete or decrease amounts except expenditures
688 required by law, provided, however, that the city council shall not increase any specific item or
689 the total of the proposed operating budget except on the recommendation of the mayor or unless
690 otherwise authorized by the General Laws. If the city council fails to act on an item in the
691 proposed operating budget prior to the beginning of the fiscal year, that amount shall, without
692 any action by the city council, become a part of the appropriations for the year and be available
693 for the purposes specified.

694 (c) Availability of the Operating Budget - In addition to any other posting requirements,
695 immediately after the submission of the proposed budget to the city council, the mayor or their
696 designee shall post the entire budget document on the city website, where it shall remain posted
697 during the city council review process contained in this article. After the enactment of the budget
698 the mayor or their designee shall post the final budget on the city website where it shall remain
699 throughout the fiscal year for which it is in effect. The final budget shall reflect any amendments
700 made by the city council and approved by the mayor and shall indicate that it is the final budget.

701 SECTION 6-6: CAPITAL IMPROVEMENT PROGRAM

702 (a) Submission - The mayor shall submit a capital improvement program to the city council on or
703 about ~~October 15~~November 1 of each year. The mayor shall annually revise the information

704 regarding the capital improvements still pending or in the process of being acquired, improved,
705 or constructed.

706 The capital improvement program shall include:

- 707 (1) a general summary of its contents;
- 708 (2) a list of all capital improvements proposed to be undertaken during the next 5 years,
709 with supporting information as to the need for each capital improvement;
- 710 (3) cost estimates, methods of financing, and recommended time schedules for each
711 improvement; and
- 712 (4) the estimated annual cost of operating and maintaining each _____ facility and piece
713 of major equipment involved.

714 (b) Public Hearing - The city council shall post a notice stating:

- 715 (1) the times and places where entire copies of the capital improvements program are
716 available for the public; and, ~~(2) the date, time, and place of a public hearing on the plan~~
717 ~~to be held by the city council at least 14 days after posting of the notice.~~
- 718 (2) the date, time, and place of a public hearing on the plan to be held by the city council
719 between 14 and 21 days after posting of the notice.

720 (c) Adoption - Following the public hearing, but not later than December 1, the city council shall
721 may by resolution adopt or reject the capital improvements program. The mayor may amend the
722 adopted program may be amended, provided that each amendment shall be voted on separately,
723 and that an increase in the capital improvements program as submitted shall clearly identify the
724 method of financing to accomplish the proposed increase.

725 SECTION 6-7: INDEPENDENT AUDIT

726 The ~~city council~~mayor shall annually provide for an outside audit of the books and accounts of
727 the city in the form of an Annual Comprehensive Financial Report to be conducted by a certified
728 public accountant or a firm of certified public accountants, which has no personal interest, direct
729 or indirect, in the fiscal affairs of the city or any of its officers. The scope of the audit shall
730 specify that each year of the audit engagement, a different department, division or program shall

731 ~~be subject to an expanded scope audit or internal control review. The city council may, by~~
732 ~~majority vote, determine the department, division or program to be subject to an expanded scope~~
733 ~~audit or internal control review. The mayor shall annually provide to the city council a sum of~~
734 ~~money sufficient to satisfy the estimated cost of conducting the audit as presented to the mayor,~~
735 ~~in writing, by the city council.~~The award of a contract to audit shall be made by the ~~city~~
736 ~~council~~mayor on or before September 15 of each year. The report of the audit ~~and all~~
737 ~~accompanying documents, including a management letter so-called~~ shall be filed ~~in final form~~
738 with the city council ~~not~~no later than March 1 in the year following its award. ~~The certified~~
739 ~~public accountant or firm of certified public accountants shall make a presentation to the city~~
740 ~~council as soon as practicable after said March 1 but no later than May 31 of each year.~~ At least
741 every ~~53~~ years, the ~~city council~~mayor shall conduct a ~~competitive~~ procurement process ~~using~~
742 ~~sound business practices~~ to retain these ~~auditing~~ services.

743 SECTION 6-8: EXPENDITURES IN EXCESS OF APPROPRIATIONS

744 Except as otherwise provided by law, an official of the city shall not knowingly or intentionally
745 expend in a fiscal year sums in excess of the appropriations, awards, grants or gifts duly made in
746 accordance with law or involve the city in any contract for the future payment of money in
747 excess of these appropriations, awards, grants or gifts. It is the intention of this section that
748 section 31 of chapter 44 of the General Laws shall be strictly enforced. Any official who violates
749 this section shall be personally liable to the city for any amounts so expended to the extent that
750 the city does not recover these amounts from the person to whom the sums were paid.

751 ARTICLE 7

752 ELECTIONS

753 ~~SECTION 7-1: ELIGIBILITY TO VOTE IN MUNICIPAL ELECTIONS~~

754 ~~In addition to individuals eligible to vote pursuant to the General Laws the following individuals~~
755 ~~may, upon application, have their names entered on a list of municipal voters established by the~~
756 ~~board of election commissioners for the city and may thereafter vote in any election for~~
757 ~~municipal offices and municipal ballot questions in accordance with this charter:~~

758 ~~(1) Any non-citizen residing in the city, who is ineligible to vote due to citizenship status under~~

759 ~~federal or state law, rule, or regulation, but who is otherwise eligible to vote; and~~
760 ~~(2) Any 16 and 17 year old residing in the city, who is ineligible to vote due to age under~~
761 ~~federal or state law, rule, or regulation, but who is otherwise eligible to vote.~~

762 ~~These municipal voters shall remain eligible to vote in any election for municipal offices and~~
763 ~~municipal ballot questions in the city for so long as they remain domiciled therein.~~

764 SECTION 7-~~2~~1: PRELIMINARY ELECTIONS

765 A preliminary election to nominate candidates for mayor, councilors at-large, ward councilors,
766 and school committee members shall be held on the third Tuesday in September in each odd-
767 numbered year in which the candidates are to be elected. The city clerk may, with the approval
768 of the city council, reschedule the preliminary election to the fourth Tuesday in September to
769 avoid a conflict with any civil or religious holiday. Whenever a special election to fill a vacancy
770 is to be held, a preliminary election shall be conducted, if necessary, not less than 28 days before
771 the date established for the special election. A preliminary election to fill a vacancy in the office
772 of ward councilor or school committee member shall be held only in the ward where there is a
773 vacancy.

774 SECTION 7-~~3~~2: PRELIMINARY ELECTION PROCEDURES

775 (a) Signature Requirements - The number of signatures of municipal voters required to place the
776 name of a candidate on the official ballot to be used at a preliminary election shall be as follows:

- 777 (1) Mayor - at least 250 certified signatures;
- 778 (2) At-Large City Councilor - at least 100 certified signatures;
- 779 (3) Ward City Councilor - at least 50 certified signatures, all of which shall be certified as
780 being from the ward from which election is sought; and
- 781 (4) School Committee Member - at least 50 certified signatures, all of which shall be
782 certified as being from the ward from which election is sought.

783 (b) Forms - Signatures of municipal voters shall be made on a form prescribed by the board of
784 election commissioners and shall be made available not earlier than April 2 in each ~~city~~
785 municipal election year. The forms shall be submitted to the board of election commissioners for

786 certification of the names on or before the fourteenth day preceding the date fixed for submission
787 to the city clerk. The forms shall be submitted to the city clerk on or before 5:00 p.m. on the
788 forty-fifth day prior to the declared date of the preliminary election. An individual may appear on
789 the ballot for only 1 office at any preliminary, regular or special ~~city~~ municipal election.

790 (c) Ballot Position - The order in which names of candidates for each office appear on the ballot
791 shall be determined by a drawing conducted by the city clerk at least 40 days before the
792 preliminary election. The drawing shall be open to the public.

793 (d) Determination of Candidates:

794 (1) Offices of Mayor, Ward Councilor, and School Committee - the ~~two~~ 2 candidates who
795 receive the highest number of votes for nomination to each office at the preliminary
796 election shall, except as provided by paragraph 7-3(d)(3), be the candidates for that
797 office. The candidates' names shall be printed on the official ballot to be used at the
798 regular or special ~~city~~ municipal election at which the office is to be voted upon and an
799 acceptance of a nomination shall not be necessary to its validity.

800 (2) Offices of City Councilor At-Large - the 8 people who receive the highest number of
801 votes for nomination to the office shall, except as provided by section 7-3(e), be the
802 candidates for the office. The candidates' names shall be printed on the official ballot to
803 be used at the regular or special ~~city~~ municipal election at which the office is to be voted
804 upon and an acceptance of a nomination shall not be necessary to its validity.

805 (3) ~~Tied~~ Preliminary Results; Tied Vote - If there is a tie among candidates for the last
806 available ballot position for any given elected office, then all candidates receiving the
807 same number of votes for the office shall be printed on the ~~general~~ regular municipal
808 election ballot, notwithstanding any other provisions in this charter specifying the number
809 of candidates to be printed on the election ballot.

810 (e) Condition Making Preliminary Unnecessary - If the time for filing statements of candidates to
811 be on the ballot for any preliminary election has expired, and the number of statements filed with
812 the city clerk for an office is not more than 2 for the office of mayor, any ward councilor or
813 school committee member, ~~or~~ and 8 for ~~any~~ the office of city councilor at-large, the candidates
814 whose statements have been filed shall be deemed nominated to that office. Those candidates

815 shall be voted on for the office at the regular or special citymunicipal election. The city clerk
816 shall not print those names on the ballot to be used at the preliminary election and another
817 nomination to the office shall not be made, and a preliminary election shall not be held for the
818 office or offices.

819 SECTION 7-~~43~~: REGULAR CITYMUNICIPAL ELECTION

820 The regular citymunicipal election shall be held on the Tuesday following the first Monday in
821 November in each odd-numbered year.

822 SECTION 7-~~54~~: BALLOT POSITION, REGULAR CITYMUNICIPAL ELECTION

823 The order in which names of candidates for each office appear on the ballot shall be determined
824 by a drawing conducted by the city clerk not later than 7 days after the certification of the
825 preliminary election results. If there is no preliminary election in advance of the regular
826 citymunicipal election or a special election, the drawing shall be conducted on the Tuesday 6
827 weeks prior to the election. The drawing shall be open to the public.

828 SECTION 7-~~65~~: NON-PARTISAN ELECTIONS

829 All elections for city offices shall be non-partisan and election ballots shall be printed without
830 any party mark, emblem or other political designation.

831 SECTION 7-~~76~~: WARDS

832 The territory of the city shall be divided into 7 wards by the city clerk to consist of as nearly an
833 equal number of inhabitants as it is possible to achieve, based on compact and contiguous
834 territory, bounded as far as possible by the center line of known streets or ways or by other well-
835 defined limits. Each ward shall be composed of voting precincts established under the General
836 Laws. The city council shall review these wards to ensure uniformity in the number of
837 inhabitants at least once every 10 years.

838 SECTION 7-~~87~~: APPLICATION OF STATE GENERAL LAWS

839 Except as otherwise expressly provided in this charter and authorized by law, all citymunicipal
840 elections shall be governed by the General Laws relating to the right to vote, the registration of
841 voters, the nomination of candidates, voting places, the conduct of preliminary, regular and

842 special ~~city elections~~ municipal election, the submission of charters, charter amendments and
843 other propositions to the voters, the counting of votes, the recounting of votes, and the
844 determination of results.

845 ARTICLE 8

846 GENERAL PROVISIONS

847 SECTION 8-1: CHARTER CHANGES

848 This charter may be replaced, revised or amended in accordance with the state constitution or the
849 General Laws.

850 SECTION 8-2: SPECIFIC PROVISION TO PREVAIL

851 To the extent that a specific provision of ~~this the~~ charter conflicts with any provision expressed
852 in general terms, the specific provision of ~~this the~~ charter shall prevail.

853 SECTION 8-3: RULES AND REGULATIONS

854 A copy of all rules and regulations adopted by a city agency shall be posted to the city website.
855 Unless an emergency exists, as determined by the mayor, a rule or regulation adopted by a city
856 agency shall not become effective until at least 5 days following the date it is posted. This
857 section shall not apply to internal operating protocols and policies enacted by city departments.

858 SECTION 8-4: PERIODIC REVIEW OF CHARTER

859 The mayor and city council shall provide for a review to be made of the city charter at least once
860 every 10 years to determine the need, if any, for changes and prepare recommendations
861 addressing ~~such~~ any proposed changes. The manner of the review shall be established by
862 ordinance and incorporate opportunities for community input. The report of the committee and
863 accompanying recommendations, if any, shall be filed with the city clerk on a date specified by
864 ordinance.

865 SECTION 8-5: PERIODIC REVIEW OF ORDINANCES

866 The mayor and city council shall provide for a review to be made of some or all of the city
867 ordinances at least once every 10 years to determine the need for amendments, if any. Such
868 review shall be scheduled to follow the charter review as provided in section 8-4 of the charter

869 by at least 1 year. The manner of the review shall be established by ordinance. The review of city
870 ordinances shall be under the supervision of the city ~~solicitor-attorney~~ and incorporate
871 opportunities for community input. The recommendations shall be filed with the city clerk on a
872 date specified by ordinance.

873 SECTION 8-6: PERIODIC REVIEW OF MULTIPLE MEMBER BODIES

874 The mayor and the city council shall provide for a review to be made of all multiple member
875 bodies at least once every 10 years., provided, however, that such bodies as are required in cities
876 by the General Laws, established by a special act of the legislature at the city's request or
877 established by the city's acceptance of one or more state enabling laws at least 10 years prior to
878 the adoption of the charter shall not be included in such review. This review shall be made by a
879 special committee whose membership and term shall be determined by ordinance, and the initial
880 review shall be implemented as provided in section 9-7(d). The special committee shall file its
881 report with the city clerk on a date specified by ordinance. The committee's report should
882 include an assessment of the function and relevance of ~~all~~ multiple member bodies included in
883 the review, and may include recommendations to combine, dissolve or create multiple member
884 bodies to address redundancies or newemerging concerns of the city. ~~Recommendations shall not~~
885 ~~conflict with multiple member bodies required by the General Laws.~~

886 SECTION 8-7: UNIFORM PROCEDURES GOVERNING MULTIPLE MEMBER BODIES

887 Open meeting law and procedures in the General Laws shall apply to the proceedings of multiple
888 member bodies, ~~including and shall include~~ the following:

889 (1) Officers - All appointed multiple member bodies shall elect a chair, a vice-chair and
890 any other officer it deems necessary.

891 (2) Meetings - All appointed multiple member bodies of the city shall meet regularly at
892 the times and places that the multiple member body, by the body's own rules, prescribe.
893 Special meetings of any multiple member body shall be held at the call of the chair or by
894 a majority of the members of the body. Notice of the meeting shall be posted as required
895 by law. Except as may otherwise be authorized by law, all meetings of all multiple
896 member bodies shall, at all times, be open to the public.

897 (3) Meeting Documents and Submissions - Each appointed multiple member body shall
898 determine its own rules and order of business. Each multiple member body shall provide
899 for the keeping of agendas, minutes and related submissions of its proceedings. All
900 documents shall be a public record and certified copies shall be placed on file in the
901 office of the city clerk within a reasonable period from the date of approval.

902 (4) Voting - If requested by any member, a vote of an appointed multiple member body
903 shall be taken by a roll call vote and the vote of each member shall be recorded in the
904 minutes, provided, however, that if the vote is unanimous only that fact need be recorded.
905 Unless some other provision is made by the multiple member body's own rules while a
906 quorum is present, except on procedural matters, any action on a matter representing an
907 exercise of the powers of the multiple member body shall require a majority vote.
908 General Laws related to a vote to meet in executive session shall always require a
909 majority of members of the body.

910 SECTION 8-8: REFERENCES TO GENERAL LAWS

911 All references to General Laws contained in ~~the~~ this charter refer to the Massachusetts General
912 Laws and are intended to refer to and to include any amendments or revisions to chapters or
913 sections or to the corresponding chapters and sections of any rearrangement, revision or
914 recodification of statutes enacted or adopted subsequent to the adoption of this charter.

915 SECTION 8-9: COMPUTATION OF TIME

916 In computing time under this charter, the day of the act or event after which the designated time
917 period begins to run shall not be included. The last day of the period shall be included, unless it
918 is a Saturday, Sunday or legal holiday, in which event the period shall be extended to the next
919 business day.

920 SECTION 8-10: OATHS OR AFFIRMATIONS

921 (a) Officials Elected in Regular Municipal Elections - On the first business day in January of
922 each even-numbered year, the city council members-elect, the school committee members-elect
923 and the mayor-elect, shall meet and take an oath or affirmation to faithfully discharge the duties
924 of their office. The oath or affirmation shall be administered by the city clerk, the assistant city

925 clerk, a judge of a court of record or by a justice of the peace. Each official taking the oath or
926 affirmation shall also sign a written version, which shall be kept in a bound book maintained by
927 the city clerk. If the mayor-elect or any member-elect of the city council or school committee is
928 absent on the day the oath is administered, the oath or ~~affirmation may be administered at any~~
929 ~~time after to that person.~~affirmation shall be administered at any time within 10 days of the first
930 business day of January, unless circumstances beyond the control of the officer-elect prevent
931 such action, but in no instance shall the time period to be sworn to office extend beyond 30 days
932 from the first business day of January.

933 (b) Other Elected Officials and Appointed Positions - Except as otherwise provided by law,
934 every person who is elected or appointed to an office or as a member of a multiple member body
935 shall take an oath or affirmation before performing any act under this election or appointment. A
936 record of this oath or affirmation shall be kept by the city clerk.

937 SECTION 8-11: LIMITATION ON OFFICE HOLDING

938 Unless otherwise allowed by law or this charter, a person shall not simultaneously hold more
939 than 1 office or position of employment with the city. This section may be waived by the mayor
940 by filing a notice of the waiver with an explanation and justification with the city clerk.

941 SECTION 8-12: FELONY CONVICTION

942 An elected official who has been convicted of a state or federal felony while holding office shall
943 be deemed to have vacated the office.

944 SECTION 8-13: ENFORCEMENT OF CHARTER PROVISIONS

945 It shall be the duty of the mayor to see that ~~the~~ **this** charter is faithfully followed and complied
946 with by all city agencies and employees. Whenever it appears to the mayor that a city agency or
947 employee is not following ~~the~~ **this** charter, the mayor shall, in writing, cause notice to be given to
948 that agency or employee directing compliance with this charter. Whenever it appears to the city
949 council that the mayor is not following this charter, the city council shall, by resolution, direct
950 the attention of the mayor to those areas in which it believes there is a failure to comply with ~~the~~
951 **this** charter. The procedures made available in chapter 231A of the General Laws may be used to
952 determine the rights, duties, or other legal relations arising under ~~the~~ **this** charter, including any

953 question of construction or validity which may be involved in that determination.

954 ARTICLE 9

955 TRANSITION PROVISIONS

956 SECTION 9-1: CONTINUATION OF EXISTING LAWS

957 (a) All General Laws, special laws, city ordinances, city council votes, rules and regulations of or
958 pertaining to the city that are in force when this charter takes effect, and not specifically or by
959 implication repealed by this charter, shall continue in full force and effect until amended or
960 repealed, or rescinded by due course of law, or until they expire by their own limitation. In any
961 case in which the provisions of ~~the~~ this charter are found to be inconsistent with the provisions of
962 any general or special law that would otherwise be applicable, the provisions of ~~the~~ this charter
963 shall prevail.

964 (b) Except as otherwise provided in this charter, the city shall not be subject to provisions of
965 chapter 31 of the General Laws. Uniform positions within the police department and the fire
966 department below the rank of chief of department shall continue to be subject to said chapter 31.
967 Tenured civil service employees of the city shall continue to be subject to the provisions of said
968 chapter 31 in the classification held at the time of the effective date of this charter.

969 SECTION 9-2: CONTINUATION OF GOVERNMENT AND ADMINISTRATION

970 All city agencies and city officials shall continue to perform their duties until reappointed, until
971 successors to their respective positions are appointed or until their duties have been transferred
972 and assumed by another city agency. All officers and department heads previously appointed or
973 appointed and confirmed at the time this charter takes effect shall not be required to be re-
974 appointed or re-appointed and confirmed, unless otherwise provided by this charter.

975 SECTION 9-3: TRANSFER OF RECORDS AND PROPERTY

976 All records and property of any city agency, or part thereof, the powers and duties of which are
977 assigned in whole or in part to another city agency, shall be transferred forthwith to that agency.

978 SECTION 9-4: CONTINUATION OF PERSONNEL

979 All city office holders and employees shall retain the office, position or

980 employment they hold, and shall continue to perform the duties of the office, position or
981 employment until their employment or position is otherwise terminated or other provisions are
982 made. A person in full-time service of the city shall not forfeit accrued time in service of the city
983 as a result of adoption of ~~the~~ **this** charter.

984 SECTION 9-5: EFFECT ON OBLIGATIONS, TAXES, ETC.

985 All official bonds, recognizances, obligations, contracts and other instruments entered into or
986 executed by, with, or on the behalf of the city before the adoption of ~~the~~ **this** charter, shall
987 continue to be obligations of the city; and all taxes, assessments, fines, penalties and forfeitures,
988 incurred or imposed, due or owing to the city, shall be enforced and collected; and all writs,
989 prosecutions, actions and causes of action, except as herein otherwise provided, shall continue
990 without abatement and remain unaffected by ~~the~~ **this** charter; and any legal act done by or in
991 favor of the city shall not be rendered invalid by reason of the adoption of ~~the~~ **this** charter.

992 SECTION 9-6: DISPOSITION OF CERTAIN SPECIAL ACTS

993 (a) Certain Special Acts ~~Recognized and Retained—repealed:~~

994 The following special acts are hereby ~~especially repealed:~~ St. 1899, c. 240, establishing a charter
995 for the city of Somerville; provided, however, that section 38 establishing the composition and
996 term of the board of health, section 39 establishing the composition and term of the board of
997 library trustees, and section 43 requiring that the purchasing agent make all city purchases, shall
998 remain in effect until such time as the city acts under Article 5 of the charter to enact 1 or more
999 administrative orders; St. 1982, c. 656 authorizing the mayor and council salaries to be set by
1000 ordinance; St. 1989, c. 355, establishing a 3 year term for the city clerk; St. 2014, c. 90, filling a
1001 vacancy in the office of mayor; St. 2018, c. 355, replacing the words “board of aldermen” and
1002 “alderman”, with the words “city council” and “councilor”, replacing the words “alderman at-
1003 large” with the words “councilor at-large”, and replacing the words “aldermen-elect” with the
1004 words “council-elect”, and St. 2022, c. 312, making c. 240 of 1899 gender neutral.

1005 (b) Certain Special Acts Recognized and Retained:

1006 The following special acts, including those which amended Chapter 240 of the Acts of 1899,
1007 relating to the organization of the city's government, are recognized and retained: ~~TO BE~~

~~**ADDED BY THE CITY COUNCIL**~~ as follows, notwithstanding any reference to said c. 240: St. 1923, c.191, St. 1939, c.190, and St. 2018, c.410 relating to the Licensing Commission; St. 1928, c. 41 and c. 81, St. 2021, c. 63 relating to the Board of Appeals; St. 1928, c. 82, St. 2018, c. 410, and St. 2012, c. 400 relating to the Board of Election Commissioners; St. 1934, c. 294 relating to the Auditor, St. 1934, c. 295 relating to the Treasurer; St. 1953, c. 653, St. 1988, c. 94, ss. 40, 40A, B, C, and D, St. 2004, c. 317, and St. 2008, c.112 relating to the Department of Public Works; St. 1977, c. 644 relating to the School Committee; St. 1985, c. 23, and St. 2012, c. 400 relating to the Board of Assessors; St. 1991, c. 390 relating to the Disabilities Commission; St. 2008, c. 106 establishing the Municipal Hearing Officer; St. 2012, c. 381, and St. 2016, c. 142 relating to the Alcoholic Beverages Commission; St. 2018, c. 364 relating to the Redevelopment Authority; St. 1978, c.297, St. 2012, c.312. and St. 2012, c. 400 relating to the Traffic Commission; and ss. 1-10, 26, 50, 43, 47, 48, 49, 50, 56, 57, 58, 59 and 60 of c. 400 of the Acts of 2012 until such time as the city acts under Article 5 of this charter to adopt 1 or more administrative orders.

SECTION 9-7: TIME OF TAKING EFFECT

~~**[TO BE ADDED BY THE CITY COUNCIL]**~~

~~(a) CREATION OF PUBLIC FINANCING OF CAMPAIGNS COMMITTEE~~

(a) The provisions of section 3-6 of this charter relating to the appointment of the Chief Administrative Officer shall take effect following the regular municipal election in 2025.

(b) The provisions of Article 7 relating to municipal elections shall be in effect for the preliminary and regular municipal elections to be held in 2027.

(c) The provisions of Article 6 relating to the operating budget, the capital improvements program, and the municipal audit shall take effect for the fiscal year beginning July 1, 2026 (FY 2027).

(d) Within 180 days of the adoption of this charter, the mayor shall promulgate and submit an administrative order pursuant to Article 5 establishing a selection process for a city attorney. Any such selection process shall include the establishment of a special screening committee to review candidates for the position of city attorney. Said special screening committee shall include at least 1 member of the city council, designated by the city council president. Nothing in this

1037 section shall be deemed to apply to the reappointment of a city attorney.

1038 (e) Creation of Public Financing of Campaigns Committee

1039 Within 6 months of the adoption of ~~the~~ **this** charter, the city council shall create a public
1040 financing of campaigns committee to study public financing mechanisms and prepare
1041 recommendations with the goal of making running for office in the city more accessible to
1042 potential candidates. The directive of this study committee is to consider a full range of options
1043 as practicable, provide analysis on the potential benefits and barriers of each option, and consider
1044 which ~~are the best fit for the city.~~ should be recommended to the city council for its
1045 consideration. ~~If the city council has already taken action consistent with this provision, no action~~
1046 ~~is necessary.~~

1047 The committee shall consist of 9 members: 1 shall be the chair of the board of elections
1048 commissioners or their designee, 1 shall be the city council president or their designee, 1 shall be
1049 the chair of the school committee or their designee, 2 shall be ~~community members~~ city residents
1050 appointed by the city council, 2 shall be ~~community members~~ city residents appointed by the
1051 school committee, 2 shall be ~~community members~~ city residents appointed by the mayor. The
1052 committee shall elect a chair and establish the schedule of its meetings. The committee shall
1053 issue recommendations to the city council within 12 months of the appointment of all of the
1054 members. The city council shall take action on the recommendations within 90 days of receipt. If
1055 the city council has already taken action consistent with this provision, no action is necessary.

1056 ~~The committee shall issue recommendations to the city council within 12 months of creation.~~

1057 ~~The city council shall take action on the recommendations within 90 days of receipt.~~

1058 ~~(b) CREATION OF THE INITIAL FIRST EQUITABLE COMPENSATION DISTRIBUTION~~
1059 ~~COMMITTEE~~

1060 ~~The mayor and the city council shall convene the initial equitable compensation distribution~~
1061 ~~committee, pursuant to section 5-3, within sufficient time that the committee's report can be~~
1062 ~~delivered by the date of the Annual Budget Meeting in the following calendar year. If the city~~
1063 ~~council has already taken action consistent with this provision, no action is necessary.~~

1064 ~~In addition to the subject matter required in section 5-3, the committee's initial report shall~~
1065 ~~include: (1) proposed solutions to address existing compensation disparities or related issues,~~
1066 ~~including but not limited to tying mechanisms (a set ratio to determine pay of elected officials,~~
1067 ~~tying the highest possible pay of an elected official to the lowest paid municipal employee); (2) a~~
1068 ~~proposed implementation plan to establish compensation distribution standards; (3) an analysis~~
1069 ~~of the proposed cost and timeline to implement those standards; (4) a comparative analysis of~~
1070 ~~other approaches to this issue in similar municipalities; and (5) an analysis of the impacts on the~~
1071 ~~community of the city.~~

1072 ~~The committee shall consist of at least 8 members: 1 shall be the mayor or their designee, 1 shall~~
1073 ~~be the city council president or their designee, 1 shall be the chair of the school committee or~~
1074 ~~their designee, 1 shall be a member of the municipal compensation advisory board, 1 shall be a~~
1075 ~~member of the charter review committee, 1 shall be a community member appointed by the~~
1076 ~~mayor, 1 shall be a community member appointed by the city council, and one shall be the city~~
1077 ~~auditor or their designee. In addition, any other representation deemed necessary by the mayor~~
1078 ~~and city council may be jointly appointed. The committee shall elect a chair and establish the~~
1079 ~~schedule of its meetings.~~

1080 ~~The committee shall be provided with an initial budget of at least \$50,000 for its expenses,~~
1081 ~~including hiring of consultants as required to assist with the examination and analysis.~~

1082 ~~The committee shall submit a report to the city council and the city council shall respond to and~~
1083 ~~vote on the recommendations within 90 days of receipt.~~

1084 ~~(e) CREATION OF RANKED CHOICE VOTING IMPLEMENTATION COMMITTEE~~

1085 (f) Creation of Ranked Choice Voting Implementation Committee

1086 Within 6 months of the passing/adoption of the this charter, the city council shall create a ranked

1087 choice voting committee to propose a measure to adopt ranked-choice voting and submit a report
1088 on ranked-choice voting in the city. A voting method shall be considered ranked choice voting if
1089 the municipal voter ranks candidates in order of preference. ~~The committee's report shall~~
1090 ~~include: The committee's report shall include: (1) the elected offices to be selected by this voting~~
1091 ~~method; (2) a timeframe and strategy for implementation; (3) infrastructure and equipment~~
1092 ~~requirements; (4) a cost analysis; (5) a comparative analysis of other voting methods; (6) an~~
1093 ~~analysis of potential equity concerns; and (7) a community education plan. If the city council has~~
1094 ~~already taken action consistent with this provision, no action is necessary.~~

1095 (1) the elected offices to be selected by this voting method;

1096 (2) a timeframe and strategy for implementation;

1097 (3) infrastructure and equipment requirements;

1098 (4) a cost analysis;

1099 (5) a comparative analysis of other voting methods;

1100 (6) an analysis of potential equity concerns; and

1101 (7) a community education plan.

1102 If the city council has already taken action consistent with this provision, no action is necessary.

1103 The goal of this committee is to implement ranked choice voting in order to more accurately
1104 reflect the will of the voters, increase the number and diversity of candidates, lower barriers to
1105 candidate participation and increase transparency of elections.

1106 The committee shall consist of 9 members: 1 shall be the chair of the board of elections
1107 commissioners or their designee, 1 shall be the city council president or their designee, 1 shall be
1108 the chair of the school committee or their designee, 2 shall be ~~community members~~city residents
1109 appointed by the city council, 2 shall be ~~community members~~city residents appointed by the
1110 school committee, 2 shall be ~~community members~~city residents appointed by the mayor. The
1111 committee shall elect a Chair and establish the schedule of its meetings. The committee shall
1112 propose a measure to the city council within 18 months of the appointment of its full
1113 membership. The city council shall take action on the measure within 90 days of receipt.

1114 ~~The committee shall propose a measure to the city council within 18 months. The city council~~
1115 ~~shall take action on the measure within 90 days of receipt.~~

1116 ~~(d) INITIAL PERIODIC REVIEW OF MULTIPLE MEMBER BODIES~~

1117 (g) Initial Periodic Review of Multiple Member Bodies

1118 The mayor and the city council shall convene the first periodic review of multiple member
1119 bodies committee, pursuant to section 8-6, within 6 months of the ~~passing~~adoption of ~~the~~ this
1120 charter. The committee's report should include:

- 1121 (1) an assessment of the functions and relevancies of the city's current multiple member
1122 bodies;
- 1123 (2) a review of activities of multiple member bodies from recent years;
- 1124 (3) the ability of the city to fill appointments to the body; and
- 1125 (4) recommendations for combining, ~~removing~~terminating, or ~~adding~~establishing new
1126 multiple member bodies.

1127 If the city council has already taken action consistent with this provision, no action is necessary.

1128 The committee shall consist of ~~at least 85~~ members: 1 shall be the mayor or their designee, 1
1129 shall be the city council president or their designee, 1 shall be the ~~chair of the school committee~~
1130 ~~or their designee~~city clerk, 1 shall be a ~~member of the municipal compensation advisory board,~~
1131 ~~I shall be a member of the charter review committee, I shall be a community member~~city
1132 resident appointed by the mayor, 1 shall be a ~~community member~~city resident appointed by the
1133 city council, ~~and I shall be the city auditor. In addition, any other representation deemed~~
1134 ~~necessary by the mayor and the city council may be jointly appointed.~~

1135 ~~The committee shall elect a chair and establish the schedule of its meetings. The committee shall~~
1136 ~~be provided with an initial budget of at least \$25,000 for its expenses, including hiring of~~
1137 ~~consultants as required to assist with the examination and analysis.~~

1138 The committee shall submit a report to the city council, ~~and they~~The city council shall respond to

and vote on the recommendations within 90 days of receipt.

~~(e) PARTICIPATORY BUDGETING STUDY COMMITTEE~~

~~(h) The city council shall consider the acceptance of section 91 of chapter 41 of the General laws within 120 days of the adoptions of this charter. Within 6 months 120 days of the adoption effective date of this charter, the city council shall create a participatory budgeting committee to study participatory budgeting and related participatory mechanisms and prepare recommendations with the goal of increasing resident participation in city government. The directive of this study committee is to consider a full range the acceptance of section 91 of chapter 41 of options as practicable, provide analysis on the potential benefits and barriers of each option, review the results of previous participatory budgeting programs, and consider which are the best fit for the city. If the city council has already taken action consistent with this provision, no action is necessary. the eneral aws.~~

~~The committee shall consist of 9 members: 1 shall be the director of finance or their designee, 1 shall be the city council president or their designee, 1 shall be the chair of the school committee or their designee, 2 shall be community members appointed by the city council, 2 shall be community members appointed by the school committee, and 2 shall be community members appointed by the mayor. The committee shall elect a chair and establish the schedule of its meetings.~~

~~The committee shall issue recommendations to the city council within 12 months of creation~~
SECTION 2. The city clerk shall cause the following question to be place on the official ballot to be used in the city of Somerville at the regular municipal election to be held on November 4, 2025: Shall the city adopt Chapter XXX of the Acts of 2025 that provides a special act charter for the city of Somerville? The city attorney shall prepare the summary of the proposed special act charter which shall appear on the ballot along with the question provided in this section and the city attorney shall submit the question and summary to the city clerk in accordance with section 42C of chapter 54 of the General Laws.

SECTION 3. Section 1 shall take effect upon acceptance by a majority of the voters of the city

1167 voting in the affirmative, but not otherwise.

1168

1169 SECTION 4. Section 2 shall take effect upon passage. ~~The city council shall take action on the~~

1170 ~~recommendations within 90 days of receipt.~~